

Keith S. Dubanevich, OSB No. 975200
Special Counsel, Office of the Attorney General
Email: keith.dubanevich@doj.state.or.us

Frederick M. Boss, OSB No. 911424
Division Administrator, Civil Enforcement
Email: fred.boss@doj.state.or.us

Simon Whang, OSB No. 035282
Assistant Attorney General
Email: simon.c.whang@doj.state.or.us
JOHN R. KROGER, Attorney General
Oregon Department of Justice
1162 Court Street NE
Salem, OR 97301-4096
Telephone: (503) 934-4400
Facsimile: (503) 373-7067

Keith A. Ketterling, OSB No. 913368
Email: kketterling@stollberne.com
Scott A. Shorr, OSB No. 961873
Email: sshorr@stollberne.com
Jennifer S. Wagner, OSB No. 024470
Email: jwagner@stollberne.com
STOLL STOLL BERNE LOKTING & SHLACHTER P.C.
209 S.W. Oak Street, Fifth Floor
Portland, Oregon 97204
Telephone: (503) 227-1600
Facsimile: (503) 227-6840

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

THE STATE OF OREGON, by and through
OREGON 529 COLLEGE SAVINGS
BOARD AND THE OREGON STATE
TREASURER on behalf of the OREGON
COLLEGE SAVINGS PLAN TRUST,

Case No. 09-CV-06135-HO

PLAINTIFF THE STATE OF OREGON'S
AMENDED MOTION TO REMAND

Plaintiff,

REQUEST FOR ORAL ARGUMENT

v.

OPPENHEIMERFUND, INC., a Colorado
corporation; et al.,

Defendants.

Page 1 - AMENDED MOTION TO REMAND

Certificate of Compliance with LR 7.1(a)

Pursuant to LR 7.1(a), the State of Oregon certifies that the parties made a good faith effort through a telephone conference to resolve this dispute but were unable to do so.

Motion to Remand

The State of Oregon, by its undersigned counsel, hereby moves for entry of an order remanding this case to the Circuit Court of the State of Oregon, County of Marion, for the reasons sets forth in the memorandum and declarations filed on June 9, 2009. This action is not removable under the Securities Litigation Uniform Standards Act and, even if it were removable, Defendants have waived their right to remove. The State of Oregon requests oral argument in this matter.

This amended motion corrects a typographical error in the State of Oregon's motion to remand filed on June 9, 2009. Specifically, the previously filed motion incorrectly refers to "the Circuit Court of the State of Oregon, County of Multnomah." This amended motion correctly refers to "the Circuit Court of the State of Oregon, County of Marion."

DATED this 10th day of June, 2009.

Keith S. Dubanevich, OSB No. 975200
Special Counsel, Office of the Attorney General
Email: keith.dubanevich@doj.state.or.us
Frederick M. Boss, OSB No. 911424
Division Administrator, Civil Enforcement
Email: fred.boss@doj.state.or.us
Simon Whang, OSB No. 035282
Assistant Attorney General
Email: simon.c.whang@doj.state.or.us
JOHN R. KROGER, Attorney General
Oregon Department of Justice
1162 Court Street NE
Salem, OR 97301-4096
Telephone: (503) 934-4400
Facsimile: (503) 373-7067

and

Page 2 - AMENDED MOTION TO REMAND

STOLL STOLL BERNE LOKTING & SHLACHTER P.C.

By: /s/ Keith A. Ketterling

Keith A. Ketterling, OSB No. 91336

Scott A. Shorr, OSB No. 961873

Jennifer S. Wagner, OSB No. 024470

STOLL STOLL BERNE LOKTING & SHLACHTER P.C.

209 SW Oak Street, 5th Floor

Portland, OR 97204

Telephone: (503) 227-1600

Facsimile: (503) 227-6840

Email: kketterling@stollberne.com

sshorr@stollberne.com

jwagner@stollberne.com

Attorneys for Plaintiff

Trial Attorneys: Keith S. Dubanevich, OSB No. 975200

Keith A. Ketterling, OSB No. 913368

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served the foregoing PLAINTIFF THE STATE OF OREGON'S AMENDED MOTION TO REMAND on the following named person(s) on the date indicated below,

- By Hand Delivery (as indicated)
- By Overnight Delivery (as indicated)
- By Facsimile Transmission (as indicated)
- By Regular Mail with postage prepaid (as indicated)
- By Email via the Court's ECF Notification System (as indicated)

to said persons a true copy thereof, contained in a sealed envelope, addressed to said person at their last known addresses indicated below. The same was deposited in the post office at Portland, Oregon.

By Hand-Delivery and
Email via the Court's ECF Notification System:

Barnes H. Ellis
Stoel Rives LLP
900 SW 5th Ave., Suite 2600
Portland OR 97204
E-Mail: bharris@stoel.com

Counsel for Defendant(s)

DATED this 10th day of June, 2009.

Keith S. Dubanevich, OSB No. 975200
Special Counsel, Office of the Attorney General
Email: keith.dubanevich@doj.state.or.us
Frederick M. Boss, OSB No. 911424
Division Administrator, Civil Enforcement
Email: fred.boss@doj.state.or.us
Simon Whang, OSB No. 035282
Assistant Attorney General
Email: simon.c.whang@doj.state.or.us
JOHN R. KROGER, Attorney General
Oregon Department of Justice
1162 Court Street NE
Salem, OR 97301-4096
Telephone: (503) 934-4400
Facsimile: (503) 373-7067

and

STOLL STOLL BERNE LOKTING & SHLACHTER P.C.

By: /s/ Keith A. Ketterling

Keith A. Ketterling, OSB No. 91336

Scott A. Shorr, OSB No. 961873

Jennifer S. Wagner, OSB No. 024470

STOLL STOLL BERNE LOKTING & SHLACHTER P.C.

209 SW Oak Street, 5th Floor

Portland, OR 97204

Telephone: (503) 227-1600

Facsimile: (503) 227-6840

Email: kketterling@stollberne.com

sshorr@stollberne.com

jwagner@stollberne.com

Attorneys for Plaintiff

Trial Attorneys: Keith S. Dubanevich, OSB No. 975200

Keith A. Ketterling, OSB No. 913368